

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLACKSMITH INVESTMENTS, LLC)	
Plaintiff,)	
)	
v.)	C.A. No. 04-10369-NG
)	
CIVES STEEL CO., INC.,)	
Defendants.)	
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GERTNER, D.J.:		

ORDER OF DISMISSAL

For the reasons set forth in Magistrate Judge Dein's Report and Recommendation [docket entry # 14], defendant's Motion to Dismiss [docket entry # 5] is **GRANTED** and this case is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

Date: March 17, 2005

/s/NANCY GERTNER, U.S.D.J.